



UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
NEW YORK REGIONAL OFFICE  
THREE WORLD FINANCIAL CENTER  
SUITE 400  
NEW YORK, NEW YORK 10281-1022

June 8, 2010

**Via ECF**

The Honorable James Orenstein  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: SEC v. Gryphon Holdings, Inc., et al., 10 Civ. 1742 (JBW) (JO)**

Dear Judge Orenstein:

On behalf of the Securities and Exchange Commission, we write concerning a motion filed yesterday by the U.S. Attorney's Office in the related criminal case, United States v. Marsh et al., M10- 441, relating to the potential disqualification of Defendant Marsh's counsel in the criminal case and in this action, Jaffe & Falk, LLP and Adorno & Yoss LLP.

Yesterday afternoon, the Commission submitted to the Court a proposed stipulation providing for the release of frozen funds to Marsh's counsel for legal fees and expenses, principally in connection with the criminal case. The stipulation contemplates the immediate release of \$68,000 to Marsh's attorneys. However, since Marsh's counsel may soon be unable to represent him, the release of funds at this stage could result in a waste of frozen assets. Accordingly, in light of the Government's motion, the Commission respectfully requests that the Court reserve decision on the proposed stipulation until the Government's motion is decided.

Respectfully,

A handwritten signature in black ink, appearing to read "Boryshansky".

Joseph Boryshansky  
Alexander Janghorbani

Cc: All parties (via ECF)